

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Shane Lee Brown,

Case No. 2:22-cv-00041-CDS-EJY

**Plaintiff**

**Notice of Intent to  
Dismiss Under Local Rule 41-1**

Las Vegas Metropolitan Police Department, et  
al.,  
Defendants

## Defendants

In January of 2022, plaintiff Shane Brown commenced this civil-rights action under 42 U.S.C. § 1983 seeking redress on constitutional violations he allegedly suffered during an arrest. The complaint was filed on January 10, 2022, and is identified as Case No. 2:22-cv-00001-JHE. The complaint was filed in the United States District Court for the District of Columbia. Defendants in the case are the City of Henderson and Las Vegas Metropolitan Police Department. On July 14, 2022, the court granted defendants' motion to dismiss the case. Defendants Joe Lombardo, Thedrick Andres, and the City of Henderson Police Department have yet to appear.

This district's Local Rules provide for dismissal of an action for want of prosecution:

All civil actions that have been pending in this Court for more than 270 days without any proceeding of record having been taken may, after notice, be dismissed for want of prosecution by the court sua sponte or on the motion of an attorney or pro se party.

LR 41-1. Further, it is within the inherent power and discretion of the court to sua sponte dismiss a civil case for lack of prosecution. Fed. R. Civ. P. 41(b). A plaintiff must prosecute his case with “reasonable diligence” to avoid dismissal pursuant to Rule 41(b). *Anderson v. Air W., Inc.*, 542 F.2d 522, 524 (9th Cir. 1976).

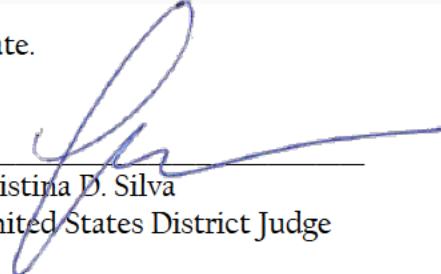
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1 Here, it appears that Brown has failed to prosecute with reasonable diligence because  
2 this case has laid dormant for almost two years. Thus, this order serves as notice that the  
3 complaint will be dismissed without prejudice and without further notice on June 28, 2024,  
4 unless Brown takes action in this matter before that date.

5 Dated: June 5, 2024

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7 Cristina D. Silva  
United States District Judge

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